

CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, MAY 13, 2019
6:30 PM

CALL TO ORDER

With an invocation by Pastor Nathan Young, Mercy Hill Church, and the recital of the Pledge of Allegiance, Mayor Curtis L. Hockenbury called the meeting to order at 6:30PM.

ROLL CALL

Present was Mmes. Lisa Carter, Stacey Cline, Bonnie Enlow and Deb Huffman as well as Messrs. Larry Hatfield and Kenny Newton.

APPROVAL OF MINUTES

Approve 4/22/19 regular meeting minutes as submitted.

Motion: Lisa Carter

Second: Stacey Cline

Ayes carried.

Approve 4/24/19 special meeting minutes as submitted.

Motion: Deb Huffman

Second: Lisa Carter

Ayes carried.

UNFINISHED BUSINESS

A. Second reading ORDINANCE NO. 019-287

AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF 0.64 ACRES, MORE OR LESS, LOCATED AT 1708 HIGHWAY 44 EAST IN THE CITY OF SHEPHERDSVILLE, KENTUCKY, ALSO KNOWN AS PARCEL 045-W00-03-001 FROM R-1 RESIDENTIAL TO B-1.

Second reading of the ordinance in its entirety by City Attorney Tammy Baker.

Motion: Deb Huffman

Second: Larry Hatfield

Mr. Hatfield asked Mr. Farris about the note on the Coakley Subdivision that was dated October 2, 1958 that reads for restrictions see deed book 122, page 470. When that is checked, it says restrictions of plat book 2, page 49 are further affirmed to writ, then lists the restrictions. Page 470 is dated March 13, 1962.

Mr. Farris stated his opinion was that after the recording of the plat before the recording of the restrictions, that data was put on there and somebody went back and wrote on the plat later to see the restrictions. Even though the plat was recorded in 1958 but it would be his opinion after the restrictions were made in 1962 and again that was after this property, lots one and two. Attorney Baker did not see any restrictions dated 1958, only 1962.

Mr. Hatfield desired the residents of Lee's Lane to know that it was a very turmoil filled decision for him but legally, especially after a lengthy meeting with Attorney Baker to go over the deeds, restrictions, and plats, he felt he must vote in favor of the ordinance.

Mr. Farris recalled applicant willing to enter into prohibiting access from Lee's Lane, any adult entertainment, 6' evergreen buffering zone, following b2 zone use restrictions that would exclude outdoor storage use and outdoor service activities. The restrictions, once recorded, would then be in perpetuity and any subsequent owner would have to seek council approval for relief.

First motion by Deb Huffman and second by Larry Hatfield withdrawn.

Motion: Larry Hatfield

Second: Deb Huffman

Restrictions as part of the motion:

"The property be zoned B1 with the restrictions that are in the B1 that have anything outside not to be allowed." In addition, no access from Lee's Lane, no adult entertainment, 6' evergreen buffering zone, following b2 zone use restrictions that would exclude outdoor storage use.

Findings in fact:

100.213 1(b) That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area. This is due to the business across the street, to the right, and to the left, two lots down.

Ayes 4, (Kenny Newton, Larry Hatfield, Deb Huffman, Lisa Carter) Nays 2 (Stacey Cline, Bonnie Enlow). Ayes carried.

NEW BUSINESS

A. Parade Request

In celebration of the opening of the Farmer's Market, a parade from Bullitt Lick Middle School to Turner Heating and Cooling. Begin at 10 AM on June 8, 2019. Faith Portman reported that the Police and Fire Department were notified and have approved the parade form.

Motion: Deb Huffman

Second: Stacey Cline

Ayes carried.

B. First reading ORDINANCE NO. 019-288

(Revised from April 22, 2019 meeting.)

AN ORDINANCE REPEALING PRIOR ORDINANCES CONCERNING THE MAINTENANCE OF NEIGHBORHOODS AND PROPERTIES AND IMPOSING CIRCUMSTANCES CONCERNING NUISANCES, WITHIN THE LIMITS OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY.

First reading of the ordinance in summary by City Attorney Tammy Baker.

Mr. Hatfield queried about recreational vehicles, which was added as section 27.

SECTION 27: RECREATIONAL VEHICLES AND TRAVEL TRAILERS

(A) No one shall be permitted to reside on a permanent basis in a recreational vehicle or travel trailer unless said recreational vehicle or travel trailer is parked in a campground.

(B) For purposes of this section, “permanent basis” shall be any period of time longer than seven (7) consecutive days or fourteen (14) total days in a one-month period.

C. First reading ORDINANCE NO. 019-289

AN ORDINANCE ALLOWING THE OPERATION OF GOLF CARTS ON CERTAIN CITY STREETS.

First reading of the ordinance in its entirety by City Attorney Tammy Baker.

Sharon Saylor – 474 Cedar Grove – wanted to know why the City needs additional vehicles on the streets.

Mr. Newton said that many in his subdivision, especially those that are older, enjoy riding to their neighbors in their golf carts rather than getting the car out of the garage and it was felt that the limitations placed on what can be driven on the street will result in little additional vehicular traffic.

D. First reading ORDINANCE NO. 019-290

AN ORDINANCE AMENDING ORDINANCE 019-277 OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY CONCERNING THE CREATION OF COLLECTIVE BARGAINING PROGRAM WITH THE SHEPHERDSVILLE FIRE DEPARTMENT FIREFIGHTERS AND THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY.

E. Request to accept sole bid for:

Equipment needed to repair Headworks Mahr Bar Screen Screw Compactor for Sewer Dept. The parts involved are (1) SW220 – Body Assembly W Spiral, and (1) Gear Reducer P/N 102105.

Arthur Jones made note that had Shepherdsville adopted the Model Procurement Code (KRS 45A), the sewer department could have skipped the bid process and simply gone with the proprietary part provider whose bid came in at \$27,546.30.

Motion to discuss: Lisa Carter

Second: Kenny Newton

Ms. Carter read Municipal Order 2018-02, which provides for the City Council to specify that all bids received by the City of Shepherdsville are to be opened at a City Council meeting by the City Attorney or City Clerk. She has noticed that bids are not being done properly and desired this one go through the process again.

Mr. Jones explained that he was not made aware of the Municipal Order until after speaking with the attorney, who advised advertising. After advertising and while seeking a purchase order, he was notified of the same.

The Mayor interjected that the engineer had explained himself and that he should have brought it to the engineer’s attention, but it will not happen in the future.

Ms. Carter asked Chuck Keith, who was in the audience, to explain the role of the part in everyday operations.

The councilmembers agreed that the part should go back out to bid.

Ms. Carter and Mr. Newton, upon recommendation from the attorney, withdrew their motions.

Motion to reject the bid and to re-bid made by Ms. Carter, seconded by Ms. Cline. Ayes carried.

COMMITTEE REPORTS

Planning and Zoning - Mr. Daryl Lee had nothing to report.

Board of Adjustment – Mr. Duane Price stated ...(unintelligible)...

Other Speakers

Alan Davis – St. Andrews Crossing HOA distributed paperwork in which research had been done on past meetings where council had talked about or voted on the aforementioned, Heritage Hills, or Bullitt Creek HOA and taking over maintenance and repair of the streets and streetlights. Mr. Davis is requesting that St Andrews Crossing streets and streetlights be accepted into the City's maintenance system.

David Johnson – 300 N. Cole Ridge Dr. – different perspective on the roads in St. Andrews Crossing. He spoke about the roads having developed deep cracks, in some spots down to the gravel. Once the water, especially with the heavy rains the area has experienced, erodes the surface, the deterioration occurs much faster.

Richard Luce – passed out a flyer about a car show in Hillview on June 8 called Cruizin' for Cancer, all proceeds go to James Brown Cancer Center.

Brad Reading – recalled how his company dumped at the sewer plant for 25 years and a few years ago, after some renovations, an issue, and a new foreman, Scott Fleming, they could no longer dump there as the decision was made to not install a new dump pad. That cost his company quite a bit more in wear and tear on vehicles since they had to truck to Derby City. Last year, after speaking with Chuck Keith, a plan was conceived whereby a pad could be built for under \$10,000, separate filtration could be achieved, keeping dangerous materials out of the plant, and the sewer department would make a profit of about .04 a gallon, per figures based on Elizabethtown and Bardstown.

Mr. Hatfield asked if Mr. Reading would be willing to sign an agreement with the caveat that they would only bring Bullitt County waste to the plant and if any of their product damaged the plant, they would pay. Mr. Reading agreed.

Discussion ensued on how the waste would be processed by Mr. Keith, why the loads stopped originally (it was at the old sewer plant where the pumps wore out), and how many loads a day could be processed if an agreement could be reached.

Mr. Hatfield stated that this would only be during normal operating hours and each truck would have its own manifest.

Much heated discussion ensued over Mr. Fleming not being present, whether the issue should be voted upon, whether the project could indeed make money, etc. The issue will be researched and come back to council possibly next regular council meeting.

Department Head/Specialty Reports

Council Comments

Ms. Carter wants the City to move forward by doing things the right way and by citizens getting benefits they have not gotten for a few years. Would still like to see a timeline

when and what roads are going to be paved as people are still complaining about potholes and bad roads.

Mr. Hatfield – desired, along with Ms. Carter, another budget workshop. It was decided Thursday, May 23rd at 6PM. It was then changed to 7PM.

Debra Lee got up to show everyone a video of her property at 538 Beechwood Dr. It's her last time coming. Richard Mile's and Jack Parson's water is flooding all the properties.

Motion to adjourn made by Larry Hatfield, seconded by Kenny Newton, at 8:01 PM. Ayes carried.

Mayor Curtis L. Hockenbury

City Clerk C.R. Wirthlin